

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed January 28, 2004. At the time of the Office Action, Claims 1-27 were pending in this patent application. The Examiner rejected Claims 1-27. The Examiner also objected to the specification and the drawings. The Applicant has amended both the specification and the drawings. These amendments are made without prejudice or disclaimer and add no new subject matter to the application. Applicant respectfully requests reconsideration and favorable action in this case.

Statement Concerning Common Ownership or Obligation of Assignment

The present invention and U.S. Patent No. 6,411,506 issued to Hipp, et al. ("*Hipp*") were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same entity. As *Hipp* constitutes prior art only under 35 U.S.C. § 102(e), the *Hipp* reference may not be used to preclude patentability under 35 U.S.C. § 103. See 35 U.S.C. § 103(c). See also M.P.E.P. Section 706.02(l)(1) and (2).

Drawing Objections

The Examiner objected to the drawings under 37 C.F.R. § 1.84(p)(5), stating that the drawings failed to include reference signs "122" from page 21, line 15, and "97" from page 21, line 30 of the specification, and the drawings also included reference sign "99," which was not mentioned in the specification. Applicant has amended the drawings to replace the original formal drawings which were previously submitted. For the convenience of the Examiner, Applicant has also provided a marked-up copy of the drawing corrections, indicating the changes made to the figures in red ink. As the amended drawings no longer suffer from the aforementioned deficiencies, the Applicant respectfully requests that the objection to the drawings be withdrawn.

Specification Objection

The Examiner objected to the specification for the following informalities: On page 1, a related application was cited but the serial number and filing date were not. On page 21, line 12, the specification cited a public network "46" but on line 6 of the same page "46" is

used in reference to a midplane. As amended, the specification no longer suffers from these informalities. As such, the Applicant respectfully requests that the objection to the specification be withdrawn.

Section 103 Rejections

The Examiner rejected Claims 1-27 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,411,506 issued to Hipp et al. ("Hipp") in view of U.S. Patent No. 6,324,571 issued to Hacherl ("Hacherl"). The Applicant respectfully traverses these rejections.

As noted above, the present invention and the *Hipp* reference were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same entity, and therefore the rejection is improper under 35 U.S.C. § 103(c). *See also* M.P.E.P. Section 706.02(l)(1) and (2). As such, Applicant respectfully requests that the rejection be withdrawn.

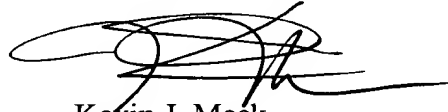
CONCLUSION

The Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of all pending Claims. If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicant stands ready to conduct such a conference at the convenience of the Examiner.

Applicant believes no fee is due, however; should there be a fee discrepancy, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicant



Kevin J. Meek
Reg. No. 33,738

Date: 3/5/04

2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980
(214) 953-6655

CORRESPONDENCE ADDRESS:

Customer Number: **05073**
Attorney Docket No.: 067856.0215

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